

ORIGINAL



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Attorneys for Sun City Grand
Community Association

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AZ CORP COMMISSION
DOCKET CONTROL

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

GARY PIERCE, Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS

Arizona Corporation Commission

DOCKETED

SEP 13 2011

DOCKETED BY

**IN THE MATTER OF THE
APPLICATION OF ARIZONA-
AMERICAN WATER COMPANY, AN
ARIZONA CORPORATION, FOR A
DETERMINATION OF THE CURRENT
FAIR VALUE OF ITS UTILITY PLAN
AND PROPERTY AND FOR INCREASES
IN ITS RATES AND CHARGES BASED
THEREON FOR UTILITY SERVICE BY
ITS AGUA FRIA WATER DISTRICT,
HAVASU WATER DISTRICT, AND
MOHAVE WATER DISTRICT**

DOCKET NO. W-01303A-10-0448

**SUN CITY GRAND'S
RESPONSE TO MOTION FOR
DECLARATION OF
INTERVENOR CLASSES**

I. Introduction.

Sun City Grand Community Association ("SCGCA") does not oppose the Motion for Declaration of Intervenor Classes as long as: (1) SCGCA is designated the Class representative; and (2) the Class is afforded its due process rights to hire appropriate experts and present a full defense to a proposed rate increase that would have a

1 significantly negative impact on its members. If the Court denies either one of these two
2 conditions, SCGCA opposes the Motion.

3 **II. Procedural Background.**

4 At this time, we have yet to receive a copy of the Motion in the mail. We only
5 know about it because we happened to check the docket on Friday. We are not sure what
6 other parties received notice of the Motion.

7 **III. Factual Background.**

8 The following fifteen associations have contacted us:

- 9 1. Arizona Traditions Homeowners Association,
 - 10 2. Clearwater Farms Unit II Property Owners Association,
 - 11 3. Clearwater Farms Unit III Property Owners Association,
 - 12 4. Cortessa Community Association,
 - 13 5. Greer Ranch South Homeowners Association,
 - 14 6. Happy Trails Community Association,
 - 15 7. Legacy Parc South Homeowners Association,
 - 16 8. Northwest Ranch Community Association,
 - 17 9. Russell Ranch Homeowners Association,
 - 18 10. Summerfield at Litchfields Subdivision Homeowners Association,
 - 19 11. Sun Village Community Association,
 - 20 12. Surprise Farms Phase 1A Community Association,
 - 21 13. Surprise Farms II Community Association,
 - 22 14. Surprise Farms III Community Association, and
 - 23 15. Sycamore Estates Parcel 13 Community Association
- 24
25
26

(collectively, the "Associations").

All have submitted affidavits that are attached to this Response as Exhibit A. Due to the Company's failure to provide notice, none of these Associations have had an opportunity to retain counsel or hire experts. All would like to exercise their right to "conduct discovery and file testimony" as referenced by the Court in the August 17, 2011, Procedural Order.

IV. SCGCA and the fifteen other Associations will consent to the formation of a Class on two conditions.

First, SCGCA should be the representative of the Class. The fifteen Associations listed above consent to this. It makes sense to name SCGCA as the representative for the following reasons: (1) the other fifteen associations listed above consent; (2) SCGCA is the largest association; (3) SCGCA has the most to lose if the rate increase is approved; (4) SCGCA already has an attorney in place; (5) SCGCA already has one expert in place; and (6) SCGCA has spent the most money opposing this increase and will continue to do so in the future.

Second, if a Class is formed, each member of that Class deserves due process. Otherwise, the previous ruling by the Court would be meaningless. Specifically, the Court put the case on hold to give "all parties to this proceeding an equal opportunity to conduct discovery and prepare and file testimony."¹ Just because SCGCA happens to be the representative of the Class does not change the fact that none of the other members have been allowed due process. All the new members of the Class are entitled to conduct discovery, prepare and file testimony and anything else necessary to present a full defense.

At this time, the fifteen Associations listed above have raised funds necessary to hire an expert firm. They are entitled to retain this firm and file testimony from them. SCGCA does not object. Moving forward beyond the retention of this additional firm, future decisions will be made by the Class representative in the normal course of the proceedings.


¹ See, August 17, 2011, Procedural Order at page 3, lines 11-12.

1 **V. Conclusion.**

2 Neither SCGCA, nor the fifteen Associations listed above object to the formation of
3 a Class so long as the following two conditions are met: (1) SCGCA is the Class
4 representative; and (2) the Class be allowed due process, including but not limited to the
5 right to conduct discovery and present the testimony of an expert firm.

6
7 DATED this 3rd day of September, 2011.

8 EKMARK & EKMARK, L.L.C.

9
10 
11 Curtis S. Ekmark
12 Lynn M. Krupnik
13 Jason F. Wood
14 6720 N. Scottsdale Rd., Suite 261
15 Scottsdale, AZ 85253
16 Attorneys for Sun City Grand
17 Community Association
18
19
20
21
22
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26

1 **Certificate of Service**

2 **ORIGINAL** and thirteen (13) copies
3 of the foregoing filed this 13th day of
September, 2011 with:

4 Docket Control
5 Arizona Corporation Commission
6 1200 West Washington Street
Phoenix, AZ 85007

7 **COPY** of the foregoing hand-delivered
8 this 13th day of September 2011 to:

9 Teena Jibilian, Administrative Law Judge
10 Legal Division
11 Arizona Corporation Commission
1200 W. Washington Street
Phoenix, AZ 85007

12 **COPIES** of the foregoing mailed
13 this 13th day of September 2011 to:

14 Janice Alward, Chief Counsel
15 Charles Hains, Attorney
16 Legal Division
Arizona Corporation Commission
1200 West Washington
Phoenix, AZ 85007

17 Steve Olea, Director
18 Utilities Division
19 Arizona Corporation Commission
1200 West Washington
Phoenix, AZ 85007

20 Thomas H. Campbell
21 Michael T. Hallam
22 Lewis and Roca LLP
40 North Central Avenue
Phoenix, AZ 85004
Attorneys for Arizona-American Water Co.

23 Greg Patterson, Director
24 Water Utility Association of Arizona
25 916 West Adams, Suite 3
Phoenix, AZ 85007

1 Joan S. Burke
Law Office of Joan S. Burke
1650 N. First Avenue
2 Phoenix, AZ 85003
Attorney for Corte Bella
3
4 Kenneth Hewitt
18729 N. Palermo Court
Surprise, AZ 85387
5
6 Michele L. Van Quathem
Ryley Carlock & Applewhite, P.A.
One North Central Avenue, Suite 1200
7 Phoenix, AZ 85004
Attorneys for Verrado and DMB White Tank, LLC
8
9 Michelle Wood, Counsel
Residential Utility Consumer Office
1110 West Washington Street, Suite 220
10 Phoenix, AZ 85007
11
12 Lyn Farmer
Arizona Corporation Commission
1200 W. Washington St.
Phoenix, AZ 85007-2927
13
14 Jay Shapiro, Esq.
Fennemore Craig
3003 N. Central Ave., Suite 2600
15 Phoenix, AZ 85012
Attorneys for EPCOR
16
17 Paul Briningstool
Ashton Ranch HOA
PO Box 9151
18 Surprise, AZ 85374
19
20 Jerome M. Ellison II, President
Cortessa Community Association
PO Box 25466
21 Tempe, AZ 85285-5466
22
23 Jared Evenson, President
Cross River HOA
1600 W. Broadway Rd., Suite 200
Tempe, AZ 85282
24
25 Mike Orose
Crystal Springs Estates HOA
8407 N. 178th Ave.
Waddell, AZ 85355
26

1 Ken Peterson, President
2 Jackrabbit Estates HOA
3 dba Arroyo Mountain Estates HOA
4 1600 W. Broadway Rd., Suite 200
5 Tempe, AZ 85282

6 William P. Lipscomb, President
7 Kingswood Parke Community Association
8 14976 W. Bottletree Ave.
9 Surprise, AZ 85374

10 Jim Oravetz, President
11 Legacy Parc South HOA
12 1600 W. Broadway Rd., Suite 200
13 Tempe, AZ 85282

14 Jeanne Stockard, Sr. Property Mgr.
15 R&R Property Management LLC
16 Northwest Ranch HOA
17 4742 N. 24th St., Suite 325
18 Phoenix, AZ 85016

19 Pauline A. Harris Henry
20 The Russell Ranch HOA
21 17936 W. Solano Drive
22 Litchfield Park, AZ 85340

23 G. Thomas Hennessy, President
24 Savannah HOA
25 1600 W. Broadway Rd., Suite 200
26 Tempe, AZ 85282

Mike Smith, President
Sierra Montana HOA
c/o Rossmar & Graham
15396 N. 83rd Ave., Bldg. B – Suite 101
Peoria, AZ 85381

Susan Harr, President
Summerfield at Litchfields Subdivision HOA
c/o Northwest Valley Realty
13201 N. 35th Ave., Suite B-3
Phoenix, AZ 85029

Dana Rosenbaum, Secretary
Surprise Farms Comm. Assoc., Phase 1A
PO Box 25466
Tempe, AZ 85285-5466

G. Thomas Hennessy, President
Surprise Farms 5 Community Association
1600 W. Broadway Rd., Suite 200
Tempe, AZ 85282

1 Dana Miller, President
2 Western Meadows HOA, Inc.
3 1600 W. Broadway Rd., Suite 200
4 Tempe, AZ 85282

5 Frederick G. and Mary L. Botha
6 23024 N. Giovota Drive
7 Sun City West, AZ 85375

8 Peter and Rochanne Corpus
9 8425 N. 181st Drive
10 Waddell, AZ 85355

11 Thomas and Laurie Decatur
12 8426 N. 181st Drive
13 Waddell, AZ 85355

14 Timothy L. and Cindy J. Duffy
15 19997 N. Half Moon Drive
16 Surprise, AZ 85374-4747

17 William and Erin Parr
18 18044 W. Georgia Court
19 Litchfield Park, AZ 85034

20 Craig and Nancy Plummer
21 17174 W. Saguaro Lane
22 Surprise, AZ 85388

23 Sharon Wolcott
24 20117 N. Painted Cove Lane
25 Surprise, AZ 85387

26 By: Uni Cooper

EXHIBIT A

AFFIDAVIT OF PEGGY RAHKOLA

STATE OF ARIZONA)
) ss.
County of Maricopa)

PEGGY RAHKOLA, being first duly sworn, upon her oath deposes and says:

1. I am over the age of 21 and competent to make this Affidavit.
2. I am the President of the Board of Directors of Arizona Traditions Homeowners Association (the "Association").
3. I have been authorized to make this Affidavit and sign on behalf of the Board of Directors of the Association.
4. The Association is a customer of Arizona-American Water Company's Agua Fria Water District. The Association has filed a Motion to Intervene in the rate case currently before the Arizona Corporation Commission as docket number W-01303A-10-0448 in order to exercise the rights of the Association with respect to the issue of a water rate increase
5. To that end, the Association intends to fully exercise its constitutional right to due process and put on a full case, including, but not limited to, conducting discovery, retaining an expert witness or witnesses, filing direct and responsive testimony, and presenting evidence, examining and cross-examining witnesses at the evidentiary hearing.
6. The exercise of the Association's due process rights as detailed above is fundamental to, and indispensable for, a fair adjudication of this matter.
7. With that said, in order to mitigate the costs of participation and in furtherance of administrative efficiency, the Association would consent to being part of a class, so long as the Association is allowed to exercise its constitutional right to due process, Sun City Grand Community Association is designated as the class representative, and Ekmark & Ekmark, LLC, is named as class counsel.

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8. I make this Affidavit upon my own personal knowledge of the matters stated herein.

FURTHER AFFIANT SAYETH NOT.

Peggy Ralkala

Peggy Ralkala

SUBSCRIBED AND SWORN to before me this 12 day of September, 2011.

Jill McGregor
Notary Public

My Commission Expires:



May 24 2013

AFFIDAVIT OF TONY DESANTI

STATE OF ARIZONA)
) ss.
County of Maricopa)

TONY DESANTI, being first duly sworn, upon his oath deposes and says:

1. I am over the age of 21 and competent to make this Affidavit.
2. I am the President of the Board of Directors of Clearwater Farms Unit II Property Owners Association (the "Association").
3. I have been authorized to make this Affidavit and sign on behalf of the Board of Directors of the Association.
4. All members of the Association are customers of Arizona-American Water Company's Agua Fria Water District. The Association has filed a Motion to Intervene in the rate case currently before the Arizona Corporation Commission as docket number W-01303A-10-0448 in order to exercise the rights of the Association members with respect to the issue of a water rate increase.
5. To that end, the Association intends to fully exercise its constitutional right to due process and put on a full case, including, but not limited to, conducting discovery, retaining an expert witness or witnesses, filing direct and responsive testimony, and presenting evidence, examining and cross-examining witnesses at the evidentiary hearing.
6. The exercise of the Association's due process rights as detailed above is fundamental to, and indispensable for, a fair adjudication of this matter.
7. With that said, in order to mitigate the costs of participation and in furtherance of administrative efficiency, the Association would consent to being part of a class, so long as the Association is allowed to exercise its constitutional right to due process, Sun City Grand Community Association is designated as the class representative, and Ekmark & Ekmark, LLC, is named as class counsel.

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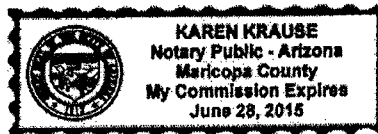
8. I make this Affidavit upon my own personal knowledge of the matters stated herein.

FURTHER AFFIANT SAYETH NOT.

Tony DeSanti
Tony DeSanti

SUBSCRIBED AND SWORN to before me this 12th day of September, 2011.

Karen Krause
Notary Public



My Commission Expires:

June 28, 2015

AFFIDAVIT OF OWEN DEJANOVICH

STATE OF ARIZONA)
) ss.
County of Maricopa)

OWEN DEJANOVICH, being first duly sworn, upon his oath deposes and says:

1. I am over the age of 21 and competent to make this Affidavit.
2. I am the President of the Board of Directors of Clearwater Farms Unit III Property Owners Association (the "Association").
3. I have been authorized to make this Affidavit and sign on behalf of the Board of Directors of the Association.
4. The Association is a customer of Arizona-American Water Company's Agua Fria Water District. The Association has filed a Motion to Intervene in the rate case currently before the Arizona Corporation Commission as docket number W-01303A-10-0448 in order to exercise the rights of the Association with respect to the issue of a water rate increase
5. To that end, the Association intends to fully exercise its constitutional right to due process and put on a full case, including, but not limited to, conducting discovery, retaining an expert witness or witnesses, filing direct and responsive testimony, and presenting evidence, examining and cross-examining witnesses at the evidentiary hearing.
6. The exercise of the Association's due process rights as detailed above is fundamental to, and indispensable for, a fair adjudication of this matter.
7. With that said, in order to mitigate the costs of participation and in furtherance of administrative efficiency, the Association would consent to being part of a class, so long as the Association is allowed to exercise its constitutional right to due process, Sun City Grand Community Association is designated as the class representative, and Ekmark & Ekmark, LLC, is named as class counsel.

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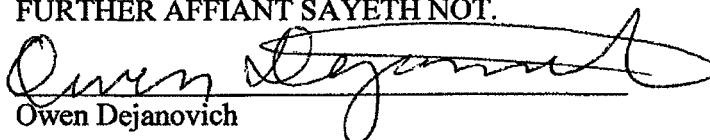
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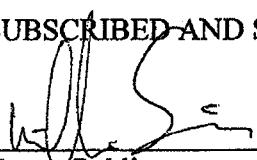
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9. I make this Affidavit upon my own personal knowledge of the matters stated herein.

FURTHER AFFIANT SAYETH NOT.


Owen Dejanovich

SUBSCRIBED AND SWORN to before me this 10 day of September, 2011.



Notary Public

My Commission Expires: 8-10-2013



AFFIDAVIT OF JEROME ELLISON

STATE OF ARIZONA)
) ss.
County of Maricopa)

Jerome Ellison, being first duly sworn, upon his oath deposes and says:

1. I am over the age of 21 and competent to make this Affidavit.
2. I am the President of the Board of Directors of Cortessa Community Association (the "Association").
3. I have been authorized to make this Affidavit and sign on behalf of the Board of Directors of the Association.
4. The Association is a customer of Arizona-American Water Company's Agua Fria Water District. The Association has filed a Motion to Intervene in the rate case currently before the Arizona Corporation Commission as docket number W-01303A-10-0448 in order to exercise the rights of the Association with respect to the issue of a water rate increase
5. To that end, the Association intends to fully exercise its constitutional right to due process and put on a full case, including, but not limited to, conducting discovery, retaining an expert witness or witnesses, filing direct and responsive testimony, and presenting evidence, examining and cross-examining witnesses at the evidentiary hearing.
6. The exercise of the Association's due process rights as detailed above is fundamental to, and indispensable for, a fair adjudication of this matter.
7. With that said, in order to mitigate the costs of participation and in furtherance of administrative efficiency, the Association would consent to being part of a class, so long as the Association is allowed to exercise its constitutional right to due process, Sun City Grand Community Association is designated as the class representative, and Ekmark & Ekmark, LLC, is named as class counsel.

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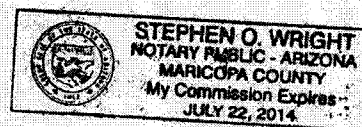
9. I make this Affidavit upon my own personal knowledge of the matters stated herein.

FURTHER AFFIANT SAYETH NOT.


Jerome Ellison

SUBSCRIBED AND SWORN to before me this 16 day of September, 2011.


Notary Public



My Commission Expires:

Jul. 22 2014

AFFIDAVIT OF KEVIN CHIARIELLO

STATE OF ARIZONA)
) ss.
County of Maricopa)

Kevin Chiariello, being first duly sworn, upon his oath deposes and says:

1. I am over the age of 21 and competent to make this Affidavit.
2. I am the President of the Board of Directors of Greer Ranch South Homeowners Association (the "Association").
3. I have been authorized to make this Affidavit and sign on behalf of the Board of Directors of the Association.
4. The Association is a customer of Arizona-American Water Company's Agua Fria Water District. The Association has filed a Motion to Intervene in the rate case currently before the Arizona Corporation Commission as docket number W-01303A-10-0448 in order to exercise the rights of the Association with respect to the issue of a water rate increase
5. To that end, the Association intends to fully exercise its constitutional right to due process and put on a full case, including, but not limited to, conducting discovery, retaining an expert witness or witnesses, filing direct and responsive testimony, and presenting evidence, examining and cross-examining witnesses at the evidentiary hearing.
6. The exercise of the Association's due process rights as detailed above is fundamental to, and indispensable for, a fair adjudication of this matter.
7. With that said, in order to mitigate the costs of participation and in furtherance of administrative efficiency, the Association would consent to being part of a class, so long as the Association is allowed to exercise its constitutional right to due process. Sun City Grand Community Association is designated as the class representative, and Ekmark & Ekmark, LLC, is named as class counsel.

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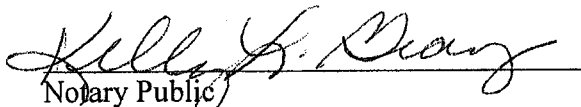
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9. I make this Affidavit upon my own personal knowledge of the matters stated herein.

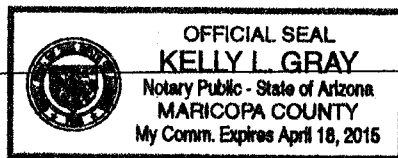
FURTHER AFFIANT SAYETH NOT.


Kevin Chiariello

SUBSCRIBED AND SWORN to before me this 12 day of September, 2011.


Notary Public

My Commission Expires:



AFFIDAVIT OF JIM WEIHMANN

STATE OF ARIZONA)
) ss.
County of Maricopa)

JIM WEIHMANN, being first duly sworn, upon his oath deposes and says:

1. I am over the age of 21 and competent to make this Affidavit.
2. I am the Vice-President of the Board of Directors of Happy Trails Community Association (the "Association").
3. I have been authorized to make this Affidavit and sign on behalf of the Board of Directors of the Association.
4. The Association is a customer of Arizona-American Water Company's Agua Fria Water District. The Association has filed a Motion to Intervene in the rate case currently before the Arizona Corporation Commission as docket number W-01303A-10-0448 in order to exercise the rights of the Association with respect to the issue of a water rate increase
5. To that end, the Association intends to fully exercise its constitutional right to due process and put on a full case, including, but not limited to, conducting discovery, retaining an expert witness or witnesses, filing direct and responsive testimony, and presenting evidence, examining and cross-examining witnesses at the evidentiary hearing.
6. The exercise of the Association's due process rights as detailed above is fundamental to, and indispensable for, a fair adjudication of this matter.
7. With that said, in order to mitigate the costs of participation and in furtherance of administrative efficiency, the Association would consent to being part of a class, so long as the Association is allowed to exercise its constitutional right to due process, Sun City Grand Community Association is designated as the class representative, and Ekmark & Ekmark, LLC, is named as class counsel.

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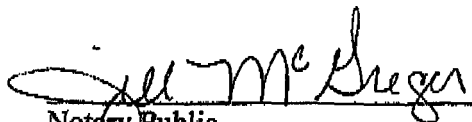
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9. I make this Affidavit upon my own personal knowledge of the matters stated herein.

FURTHER AFFIANT SAYETH NOT.


Jim Weihman

SUBSCRIBED AND SWORN to before me this 12 day of September, 2011.


Notary Public

My Commission Expires:

May 24 2013



AFFIDAVIT OF JIM ORAVETZ

STATE OF ARIZONA)
) ss.
County of Maricopa)

JIM ORAVETZ, being first duly sworn, upon his oath deposes and says:

1. I am over the age of 21 and competent to make this Affidavit.
2. I am the President of the Board of Directors of Legacy Parc South Homeowners Association (the "Association").
3. I have been authorized to make this Affidavit and sign on behalf of the Board of Directors of the Association.
4. The Association is a customer of Arizona-American Water Company's Agua Fria Water District. The Association has filed a Motion to Intervene in the rate case currently before the Arizona Corporation Commission as docket number W-01303A-10-0448 in order to exercise the rights of the Association with respect to the issue of a water rate increase
5. To that end, the Association intends to fully exercise its constitutional right to due process and put on a full case, including, but not limited to, conducting discovery, retaining an expert witness or witnesses, filing direct and responsive testimony, and presenting evidence, examining and cross-examining witnesses at the evidentiary hearing.
6. The exercise of the Association's due process rights as detailed above is fundamental to, and indispensable for, a fair adjudication of this matter.
7. With that said, in order to mitigate the costs of participation and in furtherance of administrative efficiency, the Association would consent to being part of a class, so long as the Association is allowed to exercise its constitutional right to due process, Sun City Grand Community Association is designated as the class representative, and Ekmark & Ekmark, LLC, is named as class counsel.

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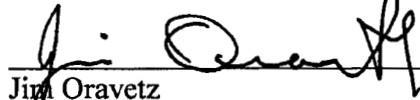
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9. I make this Affidavit upon my own personal knowledge of the matters stated herein.

FURTHER AFFIANT SAYETH NOT.

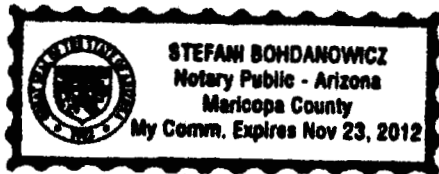

Jim Oravetz

SUBSCRIBED AND SWORN to before me this 12 day of September, 2011.


Notary Public

My Commission Expires:

11-23-2012



AFFIDAVIT OF CHRISTINE BAKER

STATE OF ARIZONA)
) ss.
County of Maricopa)

CHRISTINE BAKER, being first duly sworn, upon her oath deposes and says:

1. I am over the age of 21 and competent to make this Affidavit.
2. I am the President of the Board of Directors of Northwest Ranch Homeowners Association (the "Association").
3. I have been authorized to make this Affidavit and sign on behalf of the Board of Directors of the Association.
4. The Association is a customer of Arizona-American Water Company's Agua Fria Water District. The Association has filed a Motion to Intervene in the rate case currently before the Arizona Corporation Commission as docket number W-01303A-10-0448 in order to exercise the rights of the Association with respect to the issue of a water rate increase
5. To that end, the Association intends to fully exercise its constitutional right to due process and put on a full case, including, but not limited to, conducting discovery, retaining an expert witness or witnesses, filing direct and responsive testimony, and presenting evidence, examining and cross-examining witnesses at the evidentiary hearing.
6. The exercise of the Association's due process rights as detailed above is fundamental to, and indispensable for, a fair adjudication of this matter.
7. With that said, in order to mitigate the costs of participation and in furtherance of administrative efficiency, the Association would consent to being part of a class, so long as the Association is allowed to exercise its constitutional right to due process, Sun City Grand Community Association is designated as the class representative, and Ekmark & Ekmark, LLC, is named as class counsel.

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8. I make this Affidavit upon my own personal knowledge of the matters stated herein.

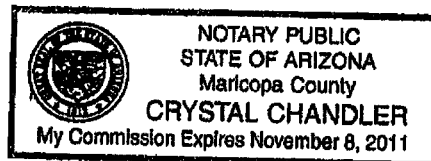
FURTHER AFFIANT SAYETH NOT.


Christine Baker

SUBSCRIBED AND SWORN to before me this 12th day of September, 2011.


Crystal Chandler
Notary Public

My Commission Expires:



November 8, 2011

AFFIDAVIT OF PAULINE HENRY

STATE OF ARIZONA)
) ss.
County of Maricopa)

PAULINE HARRIS-HENRY, being first duly sworn, upon her oath deposes and says:

1. I am over the age of 21 and competent to make this Affidavit.
2. I am the President of the Board of Directors of Russell Ranch Homeowners Association, Inc. (the "Association").
3. I have been authorized to make this Affidavit and sign on behalf of the Board of Directors of the Association.
4. The Association is a customer of Arizona-American Water Company's Agua Fria Water District. The Association has filed a Motion to Intervene in the rate case currently before the Arizona Corporation Commission as docket number W-01303A-10-0448 in order to exercise the rights of the Association with respect to the issue of a water rate increase
5. To that end, the Association intends to fully exercise its constitutional right to due process and put on a full case, including, but not limited to, conducting discovery, retaining an expert witness or witnesses, filing direct and responsive testimony, and presenting evidence, examining and cross-examining witnesses at the evidentiary hearing.
6. The exercise of the Association's due process rights as detailed above is fundamental to, and indispensable for, a fair adjudication of this matter.
7. With that said, in order to mitigate the costs of participation and in furtherance of administrative efficiency, the Association would consent to being part of a class, so long as the Association is allowed to exercise its constitutional right to due process, Sun City Grand Community Association is designated as the class representative, and Ekmark & Ekmark, LLC, is named as class counsel.

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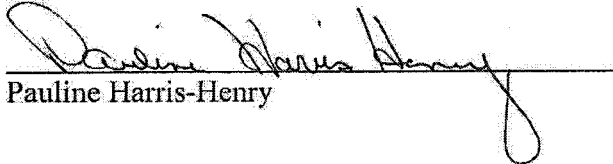
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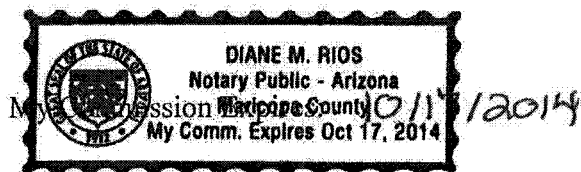
9. I make this Affidavit upon my own personal knowledge of the matters stated herein.

FURTHER AFFIANT SAYETH NOT.


Pauline Harris-Henry

SUBSCRIBED AND SWORN to before me this 9 day of September, 2011.


Notary Public



AFFIDAVIT OF SUSAN HARR

STATE OF ARIZONA)
) ss.
County of Maricopa)

SUSAN HARR, being first duly sworn, upon his oath deposes and says:

1. I am over the age of 21 and competent to make this Affidavit.
2. I am the Vice President of the Board of Directors of Summerfield at Litchfields Subdivision Homeowners Association (the "Association").
3. I have been authorized to make this Affidavit and sign on behalf of the Board of Directors of the Association.
4. The Association is a customer of Arizona-American Water Company's Agua Fria Water District. The Association has filed a Motion to Intervene in the rate case currently before the Arizona Corporation Commission as docket number W-01303A-10-0448 in order to exercise the rights of the Association with respect to the issue of a water rate increase
5. To that end, the Association intends to fully exercise its constitutional right to due process and put on a full case, including, but not limited to, conducting discovery, retaining an expert witness or witnesses, filing direct and responsive testimony, and presenting evidence, examining and cross-examining witnesses at the evidentiary hearing.
6. The exercise of the Association's due process rights as detailed above is fundamental to, and indispensable for, a fair adjudication of this matter.
7. With that said, in order to mitigate the costs of participation and in furtherance of administrative efficiency, the Association would consent to being part of a class, so long as the Association is allowed to exercise its constitutional right to due process, Sun City Grand Community Association is designated as the class representative, and Ekmark & Ekmark, LLC, is named as class counsel.

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9. I make this Affidavit upon my own personal knowledge of the matters stated herein.

FURTHER AFFIANT SAYETH NOT.

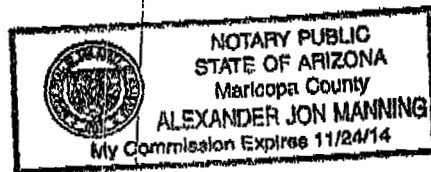
Susan Harr
Susan Harr

SUBSCRIBED AND SWORN to before me this 12 day of September, 2011.

Alexander Jon Manning
Notary Public

My Commission Expires:

11/24/14



AFFIDAVIT OF STAN MUCHA

STATE OF ARIZONA)
) ss.
County of Maricopa)

STAN MUCHA, being first duly sworn, upon his oath deposes and says:

1. I am over the age of 21 and competent to make this Affidavit.
2. I am the President of the Board of Directors of Sun Village Community Association (the "Association").
3. I have been authorized to make this Affidavit and sign on behalf of the Board of Directors of the Association.
4. The Association is a customer of Arizona-American Water Company's Agua Fria Water District. The Association has filed a Motion to Intervene in the rate case currently before the Arizona Corporation Commission as docket number W-01303A-10-0448 in order to exercise the rights of the Association with respect to the issue of a water rate increase
5. To that end, the Association intends to fully exercise its constitutional right to due process and put on a full case, including, but not limited to, conducting discovery, retaining an expert witness or witnesses, filing direct and responsive testimony, and presenting evidence, examining and cross-examining witnesses at the evidentiary hearing.
6. The exercise of the Association's due process rights as detailed above is fundamental to, and indispensable for, a fair adjudication of this matter.
7. With that said, in order to mitigate the costs of participation and in furtherance of administrative efficiency, the Association would consent to being part of a class, so long as the Association is allowed to exercise its constitutional right to due process, Sun City Grand Community Association is designated as the class representative, and Ekmark & Ekmark, LLC, is named as class counsel.

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8. I make this Affidavit upon my own personal knowledge of the matters stated herein.

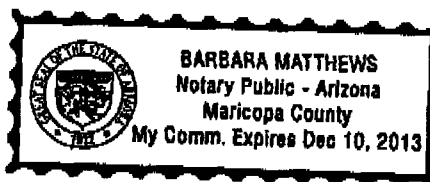
FURTHER AFFIANT SAYETH NOT.


Stan Mucha

SUBSCRIBED AND SWORN to before me this 12 day of September, 2011.


Notary Public

My Commission Expires:



12-10-2013

AFFIDAVIT OF DANA ROSENBAUM

STATE OF ARIZONA)
) ss.
County of Maricopa)

DANA ROSENBAUM, being first duly sworn, upon her oath deposes and says:

1. I am over the age of 21 and competent to make this Affidavit.
2. I am the Secretary of the Board of Directors of Surprise Farms Community Association Phase 1A (the "Association").
3. I have been authorized to make this Affidavit and sign on behalf of the Board of Directors of the Association.
4. The Association is a customer of Arizona-American Water Company's Agua Fria Water District. The Association has filed a Motion to Intervene in the rate case currently before the Arizona Corporation Commission as docket number W-01303A-10-0448 in order to exercise the rights of the Association with respect to the issue of a water rate increase
5. To that end, the Association intends to fully exercise its constitutional right to due process and put on a full case, including, but not limited to, conducting discovery, retaining an expert witness or witnesses, filing direct and responsive testimony, and presenting evidence, examining and cross-examining witnesses at the evidentiary hearing.
6. The exercise of the Association's due process rights as detailed above is fundamental to, and indispensable for, a fair adjudication of this matter.
7. With that said, in order to mitigate the costs of participation and in furtherance of administrative efficiency, the Association would consent to being part of a class, so long as the Association is allowed to exercise its constitutional right to due process, Sun City Grand Community Association is designated as the class representative, and Ekmark & Ekmark, LLC, is named as class counsel.

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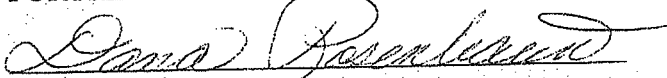
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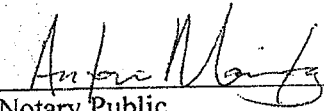
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9. I make this Affidavit upon my own personal knowledge of the matters stated herein.

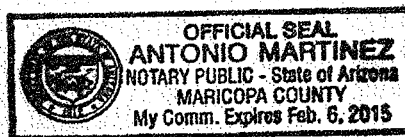
FURTHER AFFIANT SAYETH NOT.


Dana Rosenbaum

SUBSCRIBED AND SWORN to before me this 12TH day of September, 2011.


Notary Public

My Commission Expires:



FEB. 06, 2015

AFFIDAVIT OF RAUL MUNIZ

STATE OF ARIZONA)
) ss.
County of Maricopa)

RAUL MUNIZ, being first duly sworn, upon his oath deposes and says:

1. I am over the age of 21 and competent to make this Affidavit.
2. I am the President of the Board of Directors of Surprise Farms II Community Association (the "Association").
3. I have been authorized to make this Affidavit and sign on behalf of the Board of Directors of the Association.
4. The Association is a customer of Arizona-American Water Company's Agua Fria Water District. The Association has filed a Motion to Intervene in the rate case currently before the Arizona Corporation Commission as docket number W-01303A-10-0448 in order to exercise the rights of the Association with respect to the issue of a water rate increase
5. To that end, the Association intends to fully exercise its constitutional right to due process and put on a full case, including, but not limited to, conducting discovery, retaining an expert witness or witnesses, filing direct and responsive testimony, and presenting evidence, examining and cross-examining witnesses at the evidentiary hearing.
6. The exercise of the Association's due process rights as detailed above is fundamental to, and indispensable for, a fair adjudication of this matter.
7. With that said, in order to mitigate the costs of participation and in furtherance of administrative efficiency, the Association would consent to being part of a class, so long as the Association is allowed to exercise its constitutional right to due process, Sun City Grand Community Association is designated as the class representative, and Ekmark & Ekmark, LLC, is named as class counsel.

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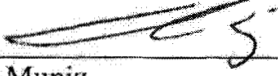
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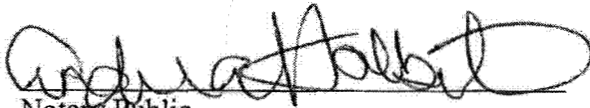
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9. I make this Affidavit upon my own personal knowledge of the matters stated herein.

FURTHER AFFIANT SAYETH NOT.

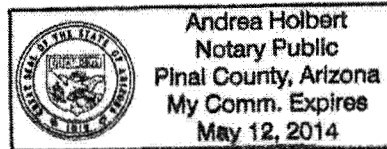

Raul Muniz

SUBSCRIBED AND SWORN to before me this 12 day of September, 2011.


Notary Public

My Commission Expires:

5/12/2014



AFFIDAVIT OF NICHOLAS MASCIA

STATE OF ARIZONA)
) ss.
County of Maricopa)

NICHOLAS MASCIA, being first duly sworn, upon his oath deposes and says:

1. I am over the age of 21 and competent to make this Affidavit.
2. I am the President of the Board of Directors of Surprise Farms III Community Association (the "Association").
3. I have been authorized to make this Affidavit and sign on behalf of the Board of Directors of the Association.
4. The Association is a customer of Arizona-American Water Company's Agua Fria Water District. The Association has filed a Motion to Intervene in the rate case currently before the Arizona Corporation Commission as docket number W-01303A-10-0448 in order to exercise the rights of the Association with respect to the issue of a water rate increase
5. To that end, the Association intends to fully exercise its constitutional right to due process and put on a full case, including, but not limited to, conducting discovery, retaining an expert witness or witnesses, filing direct and responsive testimony, and presenting evidence, examining and cross-examining witnesses at the evidentiary hearing.
6. The exercise of the Association's due process rights as detailed above is fundamental to, and indispensable for, a fair adjudication of this matter.
7. With that said, in order to mitigate the costs of participation and in furtherance of administrative efficiency, the Association would consent to being part of a class, so long as the Association is allowed to exercise its constitutional right to due process, Sun City Grand Community Association is designated as the class representative, and Ekmark & Ekmark, LLC, is named as class counsel.

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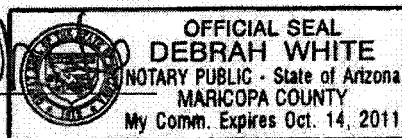
9. I make this Affidavit upon my own personal knowledge of the matters stated herein.

FURTHER AFFIANT SAYETH NOT.

Nicholas J. Mascia
Nicholas Mascia

SUBSCRIBED AND SWORN to before me this 12th day of September, 2011.

Debrah White
Notary Public



My Commission Expires:

10/14/11

AFFIDAVIT OF JAN GARCIA

STATE OF ARIZONA)
) ss.
County of Maricopa)

JAN GARCIA, being first duly sworn, upon her oath deposes and says:

1. I am over the age of 21 and competent to make this Affidavit.
2. I am the President of the Board of Directors of Sycamore Estates Parcel 13 Community Association (the "Association").
3. I have been authorized to make this Affidavit and sign on behalf of the Board of Directors of the Association.
4. The Association is a customer of Arizona-American Water Company's Agua Fria Water District. The Association has filed a Motion to Intervene in the rate case currently before the Arizona Corporation Commission as docket number W-01303A-10-0448 in order to exercise the rights of the Association with respect to the issue of a water rate increase
5. To that end, the Association intends to fully exercise its constitutional right to due process and put on a full case, including, but not limited to, conducting discovery, retaining an expert witness or witnesses, filing direct and responsive testimony, and presenting evidence, examining and cross-examining witnesses at the evidentiary hearing.
6. The exercise of the Association's due process rights as detailed above is fundamental to, and indispensable for, a fair adjudication of this matter.
7. With that said, in order to mitigate the costs of participation and in furtherance of administrative efficiency, the Association would consent to being part of a class, so long as the Association is allowed to exercise its constitutional right to due process, Sun City Grand Community Association is designated as the class representative, and Ekmark & Ekmark, LLC, is named as class counsel.

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9. I make this Affidavit upon my own personal knowledge of the matters stated herein.

FURTHER AFFIANT SAYETH NOT.

Jan Garcia
Jan Garcia

SUBSCRIBED AND SWORN to before me this 10th day of September, 2011.

[Signature]
Notary Public

My Commission Expires:

July 28 2015

